

STATEMENT OF PURPOSE

RS23407

The purpose of this legislation is to authorize the Legislative Council to appoint an interim study committee to continue to undertake and complete a study of the public defender system in Idaho. Currently there are only a handful of public defender offices within Idaho counties. The remainder of the counties contract for public defender services. The Sixth Amendment of the U.S. Constitution requires that the accused have the assistance of counsel for their defense in certain cases. The State of Idaho may delegate certain obligations imposed by the Constitution to the counties but cannot abdicate its constitutional duty.

The Idaho Criminal Justice Commission has over the past several years had a subcommittee study this issue and reached the conclusion, due to the funding and other issues, that an interim study committee would be the appropriate approach in looking at the issue. This committee has made good progress over the past two years but there is additional work remaining to be done by the subcommittee.

FISCAL NOTE

The cost of the study is expected not to exceed \$10,000. The study will be paid for out of the Legislative account.

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